

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			
<b>RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371</b>		Docket Number: <b>10537/295</b>	
		International Application No.: <b>PCT/DE03/03920</b>	
Application Number <b>10/538,519</b>	International Filing Date <b>November 26, 2003</b>	Examiner <b>To be assigned</b>	Art Unit <b>To be assigned</b>
Invention Title <b>FRICITION-WELDING DEVICE</b>		Inventor(s) <b>Erwin BAYER et al.</b>	

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

SIR:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed October 17, 2005, Applicants submit herewith an executed Declaration (6 pages), in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. Applicants also enclose a copy of the Notification as required.

1. The U.S. Patent and Trademark Office is authorized to charge the **\$130.00** (large entity) fee to cover the surcharge for late filing of the Declaration to Deposit Account No. **11-0600**. Should any additional fees be required, the U.S. Patent and Trademark Office is authorized to charge them to Deposit Account No. **11-0600**.
2. A copy of this paper is enclosed for charging purposes.

Dated: *Nov. 7, 2005*

By:

*Clifford A. Ulrich*  
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**CUSTOMER NO. 26646**

11/14/2005 GFREY1 00000043 110600 10537295  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,519	Erwin Bayer	10537/295
		INTERNATIONAL APPLICATION NO.
		PCT/DE03/03920
26646 KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004		I.A. FILING DATE      PRIORITY DATE
		11/26/2003      12/21/2002
CONFIRMATION NO. 3569 371 FORMALITIES LETTER		
 *OC000000017251448*		

Date Mailed: 10/17/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/10/2005
- Copy of the International Search Report filed on 06/10/2005
- Preliminary Amendments filed on 06/10/2005
- Information Disclosure Statements filed on 06/10/2005
- Oath or Declaration filed on 06/10/2005
- Request for Immediate Examination filed on 06/10/2005
- U.S. Basic National Fees filed on 06/10/2005
- Substitute Specification filed on 06/10/2005
- Priority Documents filed on 06/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68;
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

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Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,519	PCT/DE03/03920	10537/295

FORM PCT/DO/EO/905 (371 Formalities Notice)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Transmittal Letter		Docket Number: <b>10537/295</b>	
Application Number <b>10/538,519</b>	International Filing Date <b>November 26, 2003</b>	Examiner Not yet assigned	Art Unit Not yet assigned
Invention Title <b>FRICITION-WELDING DEVICE</b>		Inventor(s) <b>Erwin BAYER et al.</b>	

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  
Date: Nov. 7, 2003 Reg. No. 42,194  
Signature: Clifford A. Ulrich  
Clifford A. Ulrich

SIR:

1. Please find enclosed the following documents filed in connection with the above-referenced application:
  - a. Power of Attorney to Prosecute Application before the U.S. Patent and Trademark Office; and
  - b. Statement under 37 CFR 3.73(b).
2. No fee is believed necessary however, the Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:
  - A. Any additional filing fees required under 37 C.F.R. § 1.16;
  - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
  - C. Any additional document supply fees under 37 C.F.R. § 1.19;
  - D. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
  - E. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

Dated:

Nov. 7, 2003

By:

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